

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

DOCKET NOS. 2020-264-E and 2020-265-E - ORDER NO. 2021-705

OCTOBER 26, 2021

IN RE: Docket No. 2020-264-E – Duke Energy Carolinas, LLC’s Establishment of Solar Choice Metering Tariffs Pursuant to S.C. Code Ann. Section 58-40-20 (See Docket No. 2019-170-E))	ORDER APPROVING
)	STIPULATION
)	REGARDING TRACKING
)	AND REPORTING
)	REQUIREMENTS
)	
and)	
)	
Docket No. 2020-265-E – Duke Energy Progress, LLC’s Establishment of Solar Choice Metering Tariffs Pursuant to S.C. Code Ann. Section 58-40-20 (See Docket No. 2019-169-E))	
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I. INTRODUCTION

This matter comes before the Public Service Commission of South Carolina (“Commission”) on the Petition of the Office of Regulatory Staff (“ORS”) for approval of a Stipulation¹ filed between and among ORS, Duke Energy Carolinas, LLC (“DEC”) and Duke Energy Progress, LLC (“DEP”).

II. FACTS AND PROCEDURAL HISTORY

On June 23, 2021 by Order No. 2021-510, the Commission granted the Office of Regulatory Staff’s Petition for Rehearing and/or Reconsideration and ordered a limited rehearing on the single issue of the reporting requirements requested by ORS. Oral arguments were scheduled by the Clerk’s Office to be held on September 8, 2021.

¹ Attached as Order Exhibit 1.

On September 3, 2021, ORS filed a Stipulation between Duke Energy Carolinas, LLC, Duke Energy Progress, LLC, and ORS which fully resolves the concerns regarding additional tracking and reporting requirements that ORS raised in its Petition for Rehearing and/or Reconsideration.

Specifically, the Stipulation resolves the disputes as follows:

1. The Companies agree to track and report to ORS the data for net metering customer-generators electing to subscribe to the Companies' Solar Choice Metering interim riders and permanent tariffs published by either of the Companies. The Companies agree to continue to provide:
 - a. The total number of net metering customer-generators to the ORS in the same manner in which it is provided in Docket No. 2005-385-E.
 - b. The estimated gross generating capacity of net metering customer-generators to the ORS in the same manner in which it is provided in Docket No. 2005-385-E.
 - c. An estimate of the total energy production of net metering customer generators. The estimation methodology will be consistent with the one used to capture the effect of net metering generation in the Companies' Load Forecast.
2. The Companies also agree to work with ORS and provide to ORS a report indicating the value of the energy produced by net metering customer-generators as determined by the Commission in Docket No. 2019-182-E. The calculations will incorporate the updated value of solar approved in 2019-182-E and any updates to the Companies' avoided costs.
3. Nothing in this Stipulation is to be interpreted as ORS giving up its right to review and make recommendations regarding the information provided in any future proceedings for the Companies.

4. The Parties agree this Stipulation is reasonable, in the public interest, and in accordance with law and regulatory policy.
5. The Parties agree to cooperate in good faith with one another in recommending to the Commission that this Stipulation be accepted and approved by the Commission as a fair, reasonable and full resolution in the above-captioned proceedings. The Parties agree to use reasonable efforts before any reviewing court in the event of an appeal to defend and support any Commission order issued approving this Stipulation and the terms and conditions contained herein; however, ORS shall not utilize social media to defend a Commission order.

III. DISCUSSION

The Stipulation between ORS, DEC, and DEP fully resolves all issues raised in the ORS Petition for Rehearing and/or Reconsideration.

IV. FINDINGS OF FACT

1. Commission approval of the Stipulation between ORS, DEC, and DEP is proper and in the public interest.
2. The Companies agree to track and report to ORS the data for net metering customer-generators electing to subscribe to the Companies' Solar Choice Metering interim riders and permanent tariffs published by either of the Companies.
3. The Companies agree to continue to provide:
 - a. The total number of net metering customer-generators to the ORS in the same manner in which it is provided in Docket No. 2005-385-E.
 - b. The estimated gross generating capacity of net metering customer-generators to the ORS in the

same manner in which it is provided in Docket No. 2005-385-E; and

c. An estimate of the total energy production of net metering customer generators. The estimation methodology will be consistent with the one used to capture the effect of net metering generation in the Companies' Load Forecast.

4. The Companies also agree to work with ORS and provide to ORS a report indicating the value of the energy produced by net metering customer-generators as determined by the Commission in Docket No. 2019-182-E. The calculations will incorporate the updated value of solar approved in Docket No. 2019-182-E and any updates to the Companies' avoided costs.

V. CONCLUSIONS OF LAW

1. The Commission concludes that approval of the Stipulation between ORS, DEC, and DEP fully resolves all contested issues raised in the ORS Petition for Rehearing and/or Reconsideration, and therefore, no further proceeding is necessary.

VI. ORDERING PROVISIONS

IT IS THEREFORE ORDERED:

1. The Stipulation between ORS, DEC, and DEP is hereby approved.

2. All outstanding issues raised on Rehearing and/or Reconsideration are resolved and no further proceeding is required.

3. In accordance with this Commission-approved Stipulation, Duke Energy Carolinas, LLC and Duke Energy Progress, LLC shall track and report to the Office of Regulatory Staff the data for net metering customer-generators electing to subscribe to the

Companies' Solar Choice Metering interim riders and permanent tariffs published by either of the Companies.

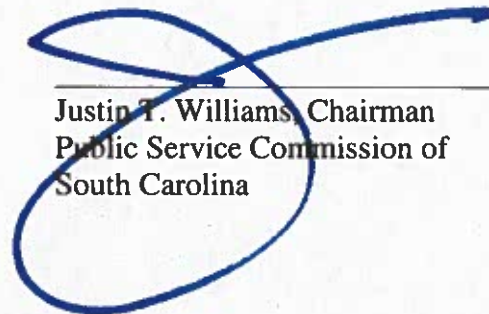
4. In accordance with this Commission-approved Stipulation, Duke Energy Carolinas, LLC and Duke Energy Progress, LLC shall continue to provide to the Office of Regulatory Staff:

- a. The total number of net metering customer-generators in the same manner in which it is provided in Docket No. 2005-385-E;
- b. The estimated gross generating capacity of net metering customer-generators in the same manner in which it is provided in Docket No. 2005-385-E; and
- c. An estimate of the total energy production of net metering customer generators. The estimation methodology will be consistent with the one used to capture the effect of net metering generation in the Companies' Load Forecast.

5. In accordance with this Commission-approved Stipulation, Duke Energy Carolinas, LLC and Duke Energy Progress, LLC shall also work with Office of Regulatory Staff and provide to ORS a report indicating the value of the energy produced by net metering customer-generators as determined by the Commission in Docket No. 2019-182-E. The calculations will incorporate the updated value of solar approved in Docket No. 2019-182-E and any updates to the Companies' avoided costs.

6. This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:



Justin T. Williams, Chairman
Public Service Commission of
South Carolina

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

DOCKET NO. 2020-264-E
DOCKET NO. 2020-265-E

IN RE: Duke Energy Carolinas, LLC's and Duke
Energy Progress, LLC's Establishment of
Solar Choice Metering Tariffs Pursuant to
S.C. Code Ann. Section 58-40-20 (See
Docket No. 2019-170-E)

STIPULATION

Joint Applicants, Duke Energy Carolinas, LLC and Duke Energy Progress, LLC (collectively, "Companies") and South Carolina Office of Regulatory Staff (together referred to as the "Parties"), by and through their undersigned counsel, pursuant to S.C. Code Ann. § 1-23-320 (F), S.C. Code Ann. § 58-4-50 (A)(9), hereby stipulate to resolve certain disputes regarding the issues in this proceeding before the South Carolina Public Service Commission ("Commission") as follows:

1. The Companies agree to track and report to ORS the data for net metering customer-generators electing to subscribe to the Companies' Solar Choice Metering interim riders and permanent tariffs published by either of the Companies. The Companies agree to continue to provide:
 - a. The total number of net metering customer-generators to the ORS in the same manner in which it is provided in Docket No. 2005-385-E.
 - b. The estimated gross generating capacity of net metering customer-generators to the ORS in the same manner in which it is provided in Docket No. 2005-385-E.

- c. An estimate of the total energy production of net metering customer generators.¹ The estimation methodology will be consistent with the one used to capture the effect of net metering generation in the Companies' Load Forecast.
2. The Companies also agree to work with ORS and provide to ORS a report indicating the value of the energy produced by net metering customer-generators as determined by the Commission in Docket No. 2019-182-E. The calculations will incorporate the updated value of solar approved in 2019-182-E and any updates to the Companies' avoided costs.
 3. Nothing in this Stipulation is to be interpreted as ORS giving up its right to review and make recommendations regarding the information provided in any future proceedings for the Companies.
 4. The Parties agree this Stipulation is reasonable, in the public interest, and in accordance with law and regulatory policy.
 5. The Parties agree to cooperate in good faith with one another in recommending to the Commission that this Stipulation be accepted and approved by the Commission as a fair, reasonable and full resolution in the above-captioned proceedings. The Parties agree to use reasonable efforts before any reviewing court in the event of an appeal to defend and support any Commission order issued approving this Stipulation and the terms and conditions contained herein; however, ORS shall not utilize social media to defend a Commission order.

¹ The Duke Companies can only provide an estimate because not all net metering customers have solar production meters.

6. This written Stipulation contains the complete agreement of the Parties. There are no other terms and conditions to which the Parties have agreed. The Parties agree that this Stipulation will not constrain, inhibit, or impair their arguments or positions held in future proceedings. If the Commission should decline to approve the Stipulation in its entirety, then any Party desiring to do so may withdraw from the Stipulation without penalty.
7. This Stipulation shall be interpreted according to South Carolina law. The above terms and conditions fully represent the agreement of the Parties hereto. Therefore, each Party acknowledges its consent and agreement to this Stipulation by authorizing its counsel to affix his or her signature to this document where indicated below. Counsel's signature represents his or her representation that his or her client has authorized the execution of the agreement. Facsimile signatures and e-mail signatures shall be as effective as original signatures to bind any party. This document may be signed in counterparts with various signature pages combined with the body of the document constituting an original and provable copy of this Stipulation.
8. The Parties represent that the terms of this Stipulation are based upon full and accurate information known as of the date this Stipulation is executed. If, after execution, either Party is made aware of information that conflicts, nullifies, or is otherwise materially different than that information upon which this Stipulation is based, either Party may withdraw from the Stipulation with written notice to the other Party.
9. This Stipulation shall bind and inure to the benefit of each of the signatories hereto and their representatives, predecessors, successors, assigns, agents, shareholders,

officers, directors (in their individual and representative capacities), subsidiaries, affiliates, parent corporations, joint ventures, heirs, executors, administrators, trustees, and attorneys.

AND IT IS SO STIPULATED this 2 day of September, 2021.

WE AGREE TO THIS STIPULATION:

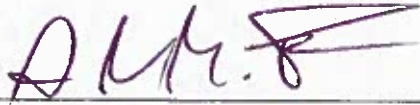
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